

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

DAVID D. WHITFIELD,

Plaintiff,

v.

Case No. 18-CV-1658

**COMMISSIONER OF THE SOCIAL SECURITY
ADMINISTRATION,**

Defendant.

ORDER

David D. Whitfield filed the above-captioned appeal of the denial of his application for Supplemental Security Income and Social Security Disability Insurance on October 18, 2018. (Docket # 1.) The court's briefing letter of October 31, 2018 required Whitfield's opening brief to be filed by February 11, 2019. (Docket # 5.) On April 11, 2019 I ordered Whitfield to show good cause for failing to file his opening brief. (Docket # 11.) I further warned Whitfield that if he did not show cause within ten (10) days, this action would be dismissed with prejudice. (*Id.*) As of the date of this order, Whitfield has failed to show cause as ordered or submit an opening brief.

Pursuant to Fed. R. Civ. P. 41(b) and Civ. L.R. 41(c) (E.D. Wis.), a court may dismiss an action where the plaintiff fails to diligently prosecute his case. Because Whitfield failed to file his brief or show cause as ordered, his complaint is dismissed for failure to prosecute.

NOW, THEREFORE, IT IS HEREBY ORDERED that the plaintiff's complaint is dismissed for failure to prosecute. The clerk of court will enter judgment accordingly.

Dated at Milwaukee, Wisconsin this 24th day of April, 2019.

BY THE COURT:

s/Nancy Joseph
NANCY JOSEPH
United States Magistrate Judge